



# Arkansas Department of Health

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Governor Asa Hutchinson  
José R. Romero, MD, Secretary of Health

## **PROPOSED REVISIONS TO ARKANSAS RULES FOR ALCOHOL TESTING**

**November 15, 2021**

### **BACKGROUND**

Pursuant to A.C.A. § 5-65-201 the Department has authority to promulgate the Arkansas Rules for Alcohol Testing. These rules set specifications and procedures for alcohol testing equipment and personnel.

### **KEY POINTS**

The proposed rule:

- Updated the list of approved instrumentation and methods for alcohol testing
- Redundant information was removed
- Certification information for senior operator and operator were updated.

### **DISCUSSION**

This proposal removes the word regulation and replaces with rules and makes the following changes:

- Updated the list of approved instrumentation and methods for alcohol testing: a new instrument was approved for use in evidential breath testing in mobile setting and a new calibration device was approved.
- Definitions not referenced in the document were removed.
- Redundant information was removed.
  
- Certification information for senior operator and operator were updated.
  - Changes suggested by the BLR Code of Rules project as part of its ongoing verification process were adopted: o references to “regulations” were removed pursuant to Act 315 of 2019- therefore regulations were changed to rules
  - the Office of Alcohol Testing is referred to as the Office and not Department

## **RECOMMENDATION**

We recommend that the proposed amendments to the Arkansas Rules for Alcohol Testing be approved as proposed by the Department.